IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.83 OF 2007

Shafi Nabab Sayyad ...Applicant.
V/s.
The State of Maharashtra ...Respondent.

Shri P.R.Arjunwadkar, adv. for the Applicant.
Smt. S.V.Gajare, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 14th March, 2007.

P.C.:

1. Heard Mr.Arjunwadkar, the learned counsel for the applicant and Ms.Gajare, the learned APP for the State.

2. The applicant, who was accused no.1 has been convicted for the offences punishable under sections 489A, 489B, 489C, 489D, 489E and 420 read with Section 34 of the I.P.C. For the offence punishable under Section 489A, he has been awarded R.I. for 10 years and fine of Rs.5,000/- . For the other charges, he was awarded varying sentences. Substantive sentence of imprisonment on all the counts is to run concurrently. The applicant has preferred an appeal, which is admitted. By this application, the applicant seeks to be released on bail pending final hearing and disposal of the appeal.

3. It appears that the present applicant and accused no.2, both were found standing near a pan shop in front of S.T.Stand, Solapur on 28-12-2004 at about 10.00 p.m. In view of suspicious circumstances in which they were P.S.I.Jadhav approached them and asked about their identity and then took the personal search. During the personal search, the present applicant was found in possession of 48 counterfeit notes of denomination of Rs.50/- each. Similarly some counterfeit currency notes were also found in possession of accused no.2. Later on on the basis of information given by the present applicant, one computer, CPU monitor, printer and cartridges, colour papers, cutter and 298 counterfeit notes of denomination of Rs.50/- each were seized from one rental premises in the bungalow of Akhtarbee at Osmanabad. Thereafter at 3 other places counterfeit notes of Rs.50/- each were recovered on the basis of information given by the present applicant. There is a material to show that the present applicant had counterfeited notes and also circulated some in the market. The offence is serious. The applicant was not on bail during the trial. Taking into consideration the nature of the offence and the sentence of R.I. for 10 years , I find that it will not be in the interest of justice to grant bail to him pending final hearing and disposal of the appeal.

4. Application stands rejected.

(J.H.Bhatia,J.)